



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
FEB 04 2003
TECH CENTER 1600/2900

Applicants: Schinazi, et al.

Serial No.: 10/061,128

Group Art Unit: 1637

Filed: January 30, 2002

Examiner: Jezia Riley

For: 2'-Fluoronucleosides

Commissioner for Patents
Washington, DC 20231

TERMINAL DISCLAIMER

Sir:

Assignees, Emory University, the owner of entire interest of U.S. Serial No. 10/061,128, through the undersigned attorney of record, hereby disclaims the terminal part of the statutory term of any patent granted on U.S. Serial No. 10/061,128 that would extend beyond the expiration date of the full statutory term as defined in 35 USC §154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,348,587. Any patent granted on U.S. Serial No. 10/061,128 shall be enforceable only for and during such period that legal title to it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

Raymond F. Schinazi, Chung K. Chu, and Jinfa Du, the inventors, have assigned U.S. Serial Nos. 10/061,128 and U.S. Patent No. 6,348,587 to Emory University, whose addresses are of record, in an Assignment recorded on October 21, 1998.

Assignees do not disclaim any terminal part of any patent granted on U.S. Serial No. 10/061,128 prior to the expiration date of the full statutory term defined in 35 USC §154 to 156 and 173 of U.S. Patent No. 6,348,587, as presently shortened by any terminal disclaimer, in the event that such patent later: a) expires for failure to pay a maintenance fee, b) is held unenforceable, c) is found invalid by a court of competent jurisdiction, d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), e) has all claims

02/05/2003 TJOHMS04 00000001 110930 10061128

01 FC:1014

110.00 CH

canceled by a reexamination certificate, f) is reissued, or g) is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer.

Please charge the \$110.00 fee for filing this Terminal Disclaimer, as well as any other fees required, to Deposit Account No. 11-0980.

Respectfully submitted,



Sherry M. Knowles, Esq.
Reg. No. 33,052

KING & SPALDING
191 Peachtree Street
Atlanta, GA 30303
404-572-3541 (Direct Line)
404-572-5145 (Facsimile)